

New Draconian California Mandatory Vaccination Law Now in Effect

A new and exceedingly stringent and dictatorial law took effect in California on July 1, 2016 which mandates that all children in that state must receive up to 33 vaccinations during their school age years or be denied access to public education. This new law also repeals California's 55 year old personal belief exemption which allowed parents to decline vaccinations on the basis of religious or other personal beliefs and values. Enacted under a storm of controversy, California Senate Bill 277 was promoted by proponents of mandatory vaccinations in an unprecedented campaign of pressure and public communications anchored in what can best be described as scare tactics. Any and all opponents of the bill were also viciously vilified in the media by public officials and drug industry spokespeople as being anti-scientific, anti-public health, cult-like and a danger to the public, despite of the mass of scientific data that raises legitimate questions about the safety and appropriateness of vaccinations in general and the extraordinarily long list of required vaccinations that are now required of every child.

This new law states in part:

SECTION 1. *Section 120325 of the Health and Safety Code is amended to read:*

In enacting this chapter...it is the intent of the Legislature to provide:

(a) A means for the eventual achievement of total immunization of appropriate age groups against the following childhood diseases:

- (1) Diphtheria.*
- (2) Hepatitis B.*
- (3) Haemophilus influenzae type b.*
- (4) Measles.*
- (5) Mumps.*
- (6) Pertussis (whooping cough).*
- (7) Poliomyelitis.*
- (8) Rubella.*
- (9) Tetanus.*
- (10) Varicella (chickenpox).*

(11) Any other disease deemed appropriate by the department, taking into consideration the recommendations of the Advisory Committee on Immunization Practices of the United States Department of Health and Human Services, the American Academy of Pediatrics, and the American Academy of Family Physicians.

(b) That the persons required to be immunized be allowed to obtain immunizations from whatever medical source they so desire, subject only to the condition that the immunization be performed in accordance with the regulations of the department and that a record of the immunization is made in accordance with the regulations.

(c) Exemptions from immunization for medical reasons.

(d) For the keeping of adequate records of immunization so that health departments, schools, and other institutions, parents or guardians, and the persons immunized will be able to ascertain that a child is fully or only partially immunized, and so that appropriate public agencies will be able to ascertain the immunization needs of groups of children in schools or other institutions.

(e) Incentives to public health authorities to design innovative and creative programs that will promote and achieve full and timely immunization of children.

The law also holds denial of access to public education, a state constitutionally mandated right in California, as a penalty for a child not being vaccinated according to the state-mandated schedule. The new law states:

The governing authority of each school or institution included in Section 120335 shall prohibit from further attendance any pupil admitted conditionally who failed to obtain the required immunizations within the time limits allowed in the regulations of the department, unless the pupil is exempted under Section 120370, until that pupil has been fully immunized against all of the diseases listed in Section 120335.

The new law does provide a sole means of exemption based on the statement of a medical doctor providing specific “medical reasons” for a child not being vaccinated. The legitimate concern is, however, that medical professionals are being cautioned against issuing such statements based on anything other than a clearly documented and compelling risk, even though no criteria are in place on which such a determination should be made.

“This new law is deeply alarming to any citizen who holds control over their personal and family health care decisions as a basic human right,” said ICA Legislative Committee Chairman Dr. Michael S. McLean. ICA opposed the passage of this law and will be working to secure its repeal or other remedies to restore the basic right of freedom of choice in health care that this new law so blatantly violates.”

As well as basic human rights concerns, the new law is also fraught with practical issues as the state has developed no written guidelines for school districts, leading to a great deal of chaos, misinformation, and incongruent enforcement. The intrusive and heavy-handed nature of communications to school authorities includes the sending of letters to schools requesting that copies of the medical exemption form be submitted to the state for ‘review’ and determination if the letter meets their standard; which for physicians raises concerns of future targeting by the Medical Board. As well, the law provides for no flexibility to allow parents to address the unique medical needs of any child.

The International Chiropractors Association has been on record and active for many decades on vaccination choice and informed consent issues and has adopted a formal policy statement which reads:

The International Chiropractors Association recognizes that the use of vaccines is not without risk and questions the wisdom of mass vaccination programs.

Chiropractic principles favor the enhancement of natural immunity over artificial immunization.

The ICA supports each individual's right to select his or her own health care and to be made aware of the possible adverse effects of vaccines upon a human body. In accordance with such principles and based upon the individual's right to freedom of choice, the ICA is opposed to compulsory programs which infringe upon such rights and do not contain a personal belief exemption.

The International Chiropractors Association is supportive of a conscience clause or waiver in compulsory vaccination laws, providing an elective course of action for all regarding immunization, thereby allowing patients freedom of choice in matters affecting their bodies and health.

*Excerpted from the **ICA Policy Handbook & Code of Ethics**.*

ICA will be exploring all possible options to address the grave concerns the new California law raises, including new legal action and will continue to educate the public and most importantly, state and national policy makers on the critical issues of both human rights and the real science documenting vaccination risk, injury and effectiveness. The full text of this law is available [here](#).